

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Owen Godshall	Team: Squad #15	CCRB Case #: 201902222	<input checked="" type="checkbox"/> Force <input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> Discourt. <input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> U.S. <input type="checkbox"/> Injury
Incident Date(s) Saturday, 03/09/2019 10:30 PM	Location of Incident: Avenue M and East 48th Street; § 87(2)(b) [REDACTED] 63rd Precinct stationhouse		Precinct: 63	18 Mo. SOL 9/9/2020	EO SOL 4/26/2021
Date/Time CV Reported Wed, 03/13/2019 11:46 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 03/13/2019 11:46 AM		

Witness(es)	Home Address
[Redacted]	[Redacted]

Subject Officer(s)	Shield	TaxID	Command
1. Officers			063 PCT
2. POM Stephan Noel	21068	963183	063 PCT
3. LT Darren Rock	00000	927433	063 PCT
4. POM John Brennan	12838	960275	063 PCT
5. POM Ainsley Carter	17452	958373	063 PCT
6. SGT Peter Behan	02140	947896	063 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Paul Alva	11022	963372	063 PCT
2. SGT Kim Craig	4110	942559	063 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Stephan Noel	Abuse: Stephan Noel questioned § 87(2)(b) [REDACTED]	[REDACTED]
B.POM John Brennan	Force: At Avenue M and East 48th Street in Brooklyn, Police Officer John Brennan used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
C.SGT Peter Behan	Force: At Avenue M and East 48th Street in Brooklyn, Police Officer Peter Behan used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
D.POM Stephan Noel	Force: At Avenue M and East 48th Street in Brooklyn, Police Officer Stephan Noel used physical force against § 87(2)(b) [REDACTED]	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
E.POM John Brennan	Force: Police Officer John Brennan used a chokehold against § 87(2)(b) [REDACTED]	[REDACTED]
F.POM John Brennan	Force: Police Officer John Brennan restricted § 87(2)(b) [REDACTED] s breathing.	[REDACTED]
G.POM John Brennan	Abuse: Police Officer John Brennan threatened § 87(2)(b) [REDACTED] with the use of force.	[REDACTED]
H.SGT Peter Behan	Abuse: At Avenue M and East 48th Street in Brooklyn, Sergeant Peter Behan threatened § 87(2)(b) [REDACTED] with the use of force.	[REDACTED]
I.LT Darren Rock	Abuse: At § 87(2)(b) [REDACTED] in Brooklyn, Lieutenant Darren Rock questioned § 87(2)(b) [REDACTED]	[REDACTED]
J.POM Ainsley Carter	Abuse: Police Officer Ainsley Carter entered § 87(2)(b) [REDACTED] in Brooklyn.	[REDACTED]
K.SGT Peter Behan	Abuse: Sergeant Peter Behan entered § 87(2)(b) [REDACTED] in Brooklyn.	[REDACTED]
L. Officers	Abuse: Officers entered § 87(2)(b) [REDACTED] in Brooklyn	[REDACTED]
M.POM Ainsley Carter	Off. Language: At § 87(2)(b) [REDACTED] in Brooklyn, Police Officer Ainsley Carter made remarks to § 87(2)(b) [REDACTED] based upon his gender.	[REDACTED]
N.POM Ainsley Carter	Force: At § 87(2)(b) [REDACTED] in Brooklyn, Police Officer Ainsley Carter used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
O. Officers	Force: At § 87(2)(b) [REDACTED] in Brooklyn, officers used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
P.POM Ainsley Carter	Abuse: At § 87(2)(b) [REDACTED] in Brooklyn, Police Officer Ainsley Carter refused to provide his name to § 87(2)(b) [REDACTED]	[REDACTED]
Q.POM Ainsley Carter	Abuse: At § 87(2)(b) [REDACTED] in Brooklyn, Police Officer Ainsley Carter refused to provide his shield number to § 87(2)(b) [REDACTED]	[REDACTED]
R.SGT Peter Behan	Abuse: At the 63rd Precinct stationhouse, Sergeant Peter Behan searched the vehicle in which § 87(2)(b) [REDACTED] was an occupant.	[REDACTED]

Case Summary

On March 11, 2019, § 87(2)(b) filed this complaint with IAB via telephone. On March 21, 2019, it was forwarded to the CCRB via IAB log #§ 87(2)(b). On March 12, 2019, § 87(2)(b) filed a duplicate complaint with the CCRB via the website. On March 13, 2019, § 87(2)(b) § 87(2)(b) § 87(2)(b) and § 87(2)(b) filed duplicate complaints with the CCRB via the website.

At approximately 10:41 p.m. on March 9, 2019, several civilians, including the six complainants and their friends § 87(2)(b) and § 87(2)(b) gathered at the intersection of Avenue M and East 48th Street in Brooklyn to record a music video. § 87(2)(b)s and § 87(2)(b)s father, § 87(2)(b) was at their home nearby at § 87(2)(b). § 87(2)(b) observed the recording from a vehicle parked on the side of the road along Avenue M. Several officers from the 63rd Precinct Anti-Crime team, including Police Officer Stephan Noel, Police Officer John Brennan and Sergeant Peter Behan, approached § 87(2)(b) vehicle. Police Officer Noel asked § 87(2)(b) several times to provide identification and to exit the vehicle (**Allegation A: Abuse of Authority – Question**, § 87(2)(g)). When § 87(2)(b) refused to do so, Police Officer Noel, Police Officer Brennan and Sergeant Behan pulled him out of the driver's seat and pushed him to the ground (**Allegations B, C and D: Force – Physical force**, § 87(2)(g) and § 87(2)(g)). Police Officer Brennan allegedly placed his arm across § 87(2)(b)'s neck, choking him (**Allegation E: Force – Chokehold**, § 87(2)(g)). **Allegation F: Force – Forceable restriction of breathing**, § 87(2)(g). Sergeant Behan and Police Officer Brennan then threatened to use their Tasers against § 87(2)(b). (**Allegations G and H: Abuse of Authority – Threat of force**, § 87(2)(g) and § 87(2)(g)). None of the officers ultimately discharged their Tasers. The three officers were then able to handcuff § 87(2)(b).

Several additional officers from the 63rd Precinct, including Lieutenant Darren Rock, Police Officer Paul Alva and Police Officer Ainsley Carter, responded to the location to assist in dealing with a crowd of several bystanders. Lieutenant Rock ordered officers to arrest one of the bystanders, § 87(2)(b) for allegedly interfering with § 87(2)(b) arrest. He then ordered officers to arrest a second bystander, § 87(2)(b) for allegedly interfering with § 87(2)(b) arrest.

After § 87(2)(b) arrest, the officers began to disperse. Sergeant Behan ordered Police Officer Alva and Police Officer Carter to transport § 87(2)(b) vehicle to the stationhouse. They were allegedly prevented from doing so when two other bystanders, § 87(2)(b) and § 87(2)(b) stood in front of the vehicle to block its path. Police Officer Alva and Police Officer Carter called for backup to help deal with these civilians. Most of the officers who had responded to the initial incident, including Lieutenant Rock, Sergeant Behan and Police Officer Brennan, returned to the location. Lieutenant Rock ordered the officers to arrest § 87(2)(b) and § 87(2)(b). Officers handcuffed § 87(2)(b) without incident.

Lieutenant Rock then spoke to § 87(2)(b)'s brother, § 87(2)(b) in front of their home at § 87(2)(b) located down the block from the intersection. He allegedly asked § 87(2)(b) to empty his pockets (**Allegation I: Abuse of Authority – Question**, § 87(2)(g)). Before § 87(2)(b) responded, several officers chased § 87(2)(b) into his house located further down the block at 4716 (**Allegations J, K and L: Abuse of Authority – Entry of premises**, § 87(2)(g)). While inside, Police Officer Carter allegedly called § 87(2)(b) a “bitch” (**Allegation M: Offensive Language – Gender**, § 87(2)(g)). He and the other officers allegedly punched § 87(2)(b) in the face (**Allegations N and O: Force – Physical force**, § 87(2)(g)). Police Officer Carter also allegedly refused to provide his

name and shield number to § 87(2)(b) (Allegation P: Abuse of Authority – Refusal to provide name, § 87(2)(g) Allegation Q: Abuse of Authority – Refusal to provide shield number, § 87(2)(g)) The officers removed § 87(2)(b) from the house and took him into custody.

The police eventually transported § 87(2)(b) vehicle to the 63rd Precinct stationhouse, where it was searched (Allegation R: Abuse of Authority – Vehicle search, § 87(2)(g))

§ 87(2)(b) was charged with resisting arrest, inciting to riot, obstructing governmental administration, unlawful assembly, unlawful possession of marijuana and disorderly conduct (fighting/violent behavior). § 87(2)(b) and § 87(2)(b) were charged with resisting arrest, obstructing governmental administration and disorderly conduct (fighting/violent behavior). § 87(2)(b) was charged with obstructing governmental administration and disorderly conduct (refusal to disperse). § 87(2)(b) was charged with resisting arrest, obstructing governmental administration and disorderly conduct (refusal to disperse) (Board Review #01).

The investigation obtained several clips of cell phone footage recorded during this incident by various parties. It is attached in IAs #49, 57-60, 91-92 (Board Review #02-08) and summarized in IA #78, 79 and 93 (Board Review #09-11).

Body-worn camera footage could not be obtained from this incident because § 87(2)(b) § 87(2)(b)
§ 87(2)(b)

Findings and Recommendations

Allegation (A) Abuse of Authority: At Avenue M and East 48th Street in Brooklyn, Police Officer Stephan Noel questioned § 87(2)(b)

Allegation (D) Force: At Avenue M and East 48th Street in Brooklyn, Police Officer Stephan Noel used physical force against § 87(2)(b)

On March 15, 2019, § 87(2)(b) § 87(2)(b) § 87(2)(b) § 87(2)(b) and § 87(2)(b) provided telephone statements to the CCRB (Board Review #12-16). § 87(2)(b) provided a telephone statement to the CCRB on March 18, 2019 (Board Review #17). § 87(2)(b) § 87(2)(b) and § 87(2)(b) were interviewed at the CCRB on March 18, 2019. § 87(2)(b) and § 87(2)(b) were interviewed at the CCRB on March 19, 2019. § 87(2)(b) provided a telephone statement on March 20, 2019 (Board Review #18). § 87(2)(b) provided a telephone statement on April 10, 2019 (Board Review #19). The investigation was unable to obtain sworn statements from § 87(2)(b) § 87(2)(b) § 87(2)(b) or § 87(2)(b). The investigation was unable to contact § 87(2)(b) (Board Review #20).

Lieutenant Rock was interviewed at the CCRB on July 3, 2019. Police Officer Carter was interviewed at the CCRB on September 13, 2019. Police Officer Alva was interviewed at the CCRB on November 4, 2019. Sergeant Behan was interviewed at the CCRB on January 22, 2020. § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)

It is undisputed that a large group of civilians gathered at the intersection of Avenue M and East 48th Street to watch the filming of a music video. § 87(2)(b) was watching from the driver's seat of his vehicle, which was parked nearby. Police Officer Noel approached § 87(2)(b) and spoke to him at the driver's window. Police Officer Noel asked § 87(2)(b)

§ 87(2)(b) for his driver's license and vehicle registration. He then asked § 87(2)(b) to exit the vehicle. § 87(2)(b) response to these commands is in dispute. Police Officer Noel then reached into the vehicle and pulled § 87(2)(b) out. He, Police Officer Brennan and Sergeant Behan then forced § 87(2)(b) to the ground and handcuffed him. § 87(2)(b) did not seek or obtain medical treatment for any injuries suffered during the incident.

§ 87(2)(g)

§ 87(2)(g)

Allegation (B) Force: At Avenue M and East 48th Street in Brooklyn, Police Officer John Brennan used physical force against § 87(2)(b)

Allegation (C) Force: At Avenue M and East 48th Street in Brooklyn, Police Officer Peter Behan used physical force against § 87(2)(b)

It is undisputed that a large group of civilians gathered at the intersection of Avenue M and East 48th Street to watch the filming of a music video. § 87(2)(b) was watching from the driver's seat of his vehicle, which was parked nearby. Police Officer Noel approached § 87(2)(b) and spoke to him at the driver's window. Police Officer Noel asked § 87(2)(b) for his driver's license and vehicle registration. He then asked § 87(2)(b) to exit the vehicle. § 87(2)(b) response to these commands is in dispute. Police Officer Noel then reached into the vehicle and pulled § 87(2)(b) out. He, Police Officer Brennan and Sergeant Behan then forced § 87(2)(b) to the ground and handcuffed him. § 87(2)(b) did not seek or obtain medical treatment for any injuries suffered during the incident.

§ 87(2)(b) stated that Police Officer Noel approached him at his driver's window and asked for his license and registration. § 87(2)(b) asked why Police Officer Noel needed it. Police Officer Noel then opened § 87(2)(b) door and told him to get out. Before § 87(2)(b) had a chance to respond to Police Officer Noel's commands, Police Officer Noel reached into the vehicle and grabbed the back of his neck. Police Officer Brennan and Sergeant Behan also reached inside and grabbed the front of § 87(2)(b) shirt. The three officers then pulled § 87(2)(b) out of his seat. § 87(2)(b) landed face-down. He sustained a scrape on a right knee. The officers attempted to hold § 87(2)(b) down by pressing their knees down on his back. Despite this force, however, § 87(2)(b) was able to push up off the ground and stand back up. He estimated that he was on the ground for about thirty seconds before standing up. Police Officer Brennan placed § 87(2)(b) in a chokehold once he stood up. § 87(2)(b) tried to get away from Police Officer Brennan. He ceased walking once Police Officer Brennan released him. He denied making any movements or offering any resistance after that point. Police Officer Noel and Sergeant Behan then pushed § 87(2)(b) down to his knees. The two officers hinged § 87(2)(b) body forward at his hips, bringing his face down to the ground. They then placed him in handcuffs.

§ 87(2)(b), § 87(2)(b), § 87(2)(b), § 87(2)(b) and § 87(2)(b) statements were generally consistent with § 87(2)(b), § 87(2)(b) and § 87(2)(b). § 87(2)(b) made no mention of the officers forcing § 87(2)(b) to the ground at any point. § 87(2)(b) and § 87(2)(b) denied being present at the time of § 87(2)(b) arrest. § 87(2)(b) provided conflicting testimony about whether he was present at the time of § 87(2)(b) arrest. He made no mention of an officer using force against § 87(2)(b).

Police Officer Brennan's and Sergeant Behan's statements were generally consistent with each

other. Both stated that they arrived at the intersection after Police Officer Noel had approached § 87(2)(b) at the driver's window. Police Officer Noel asked § 87(2)(b) several times to provide his identification and to exit the vehicle. § 87(2)(b) refused to do so. Sergeant Behan and Police Officer Brennan both stated that they reached into the open driver's door and grabbed § 87(2)(b). Police Officer Brennan stated that he and Police Officer Noel grabbed § 87(2)(b) by his arms, and that § 87(2)(b) tried to prevent them from pulling him out by leaning away from them. Sergeant Behan stated that he grabbed § 87(2)(b) somewhere on his upper torso. He did not recall if § 87(2)(b) tried to interfere with the removal.

Police Officer Brennan stated that § 87(2)(b) was initially on his feet when he was pulled out of the vehicle. He then dropped down to his knees and pulled his arms downwards to get them away from Police Officer Brennan and Police Officer Noel. Police Officer Brennan overcame this resistance by threatening to use his Taser on § 87(2)(b). Sergeant Behan stated that after he pulled § 87(2)(b) out of the vehicle, § 87(2)(b) tried to pull his body away from him. Sergeant Behan responded by pushing § 87(2)(b) to the ground. He did not recall how § 87(2)(b) landed. § 87(2)(b) immediately started to stand back up. Sergeant Behan warned § 87(2)(b) that he would be Tased if he stood. Both officers stated that § 87(2)(b) became compliant after they threatened to Tase him. They denied that they or any other officer used further physical force against § 87(2)(b).

Lieutenant Rock, Police Officer Carter and Police Officer Alva denied being present at the time of this allegation. They were not aware of any officers using physical force to restrain § 87(2)(b).

Cell phone footage recorded by § 87(2)(b) is attached in IA #58 (Board Review #03). It shows § 87(2)(b) standing next to § 87(2)(b)'s vehicle. The driver's door is open. At 0:12 into the recording, an unseen voice states, "Step out the car. I'm telling you, step out of the car." At 0:18 into the recording, Police Officer Noel and Police Officer Brennan reach into the vehicle and start pulling § 87(2)(b) out of the driver's seat. The video does not clearly show where they are holding § 87(2)(b)'s body. § 87(2)(b)'s body, however, does not move. At 0:34 into the recording, § 87(2)(b) is seen on his hands and knees on the street next to his vehicle. Police Officer Noel, Police Officer Brennan and Sergeant Behan are standing over him. The camera's view of § 87(2)(b) is then obstructed by an unidentified individual. At 0:45 into the recording, § 87(2)(b) is seen standing on his feet, holding both hands in front of his chest. Police Officer Noel pulls on § 87(2)(b)'s left arm, while Sergeant Behan pulls the right arm. Police Officer Brennan places his right arm across § 87(2)(b)'s neck. At 0:52 into the recording, Police Officer Brennan takes out his Taser. Police Officer Noel and Sergeant Behan push § 87(2)(b) down onto his knees. His torso is bent forward towards the ground. The camera then turns away from § 87(2)(b). He is not clearly seen again.

Cell phone footage recorded by § 87(2)(b) is attached in IA #92 (Board Review #08). It shows the same struggle as § 87(2)(b)'s video. At 0:26 into the recording, a voice is heard asking § 87(2)(b) to exit his vehicle. It does not show where the officers grabbed § 87(2)(b) when they pulled him out of his vehicle. At 0:45 into the recording, § 87(2)(b) is seen kneeling next to his vehicle. The three officers try to push him down, but at 0:54 into the recording § 87(2)(b) stands back up. The video ends before § 87(2)(b) is brought back to his knees.

Sergeant Behan, Police Officer Noel and Police Officer Brennan prepared TRI reports to document § 87(2)(b)'s arrest (Board Review). The reports state that they forced § 87(2)(b) to

the ground in defense of himself and his fellow officers, as well as to overcome § 87(2)(b) resistance. No other force is noted.

Based on the video footage, the investigation determined that Police Officer Noel asked § 87(2)(b) to exit his vehicle. When § 87(2)(b) did not exit, Police Officer Brennan and Police Officer Noel started to pull him out of the vehicle. § 87(2)(b) tried to resist the officers by pulling against them. The officers were eventually able to pull § 87(2)(b) out of the vehicle. § 87(2)(b) then went down to his knees. It is unclear from either the video or testimony whether the officers deliberately placed him in that position. Police Officer Noel, Police Officer Brennan and Sergeant Behan tried to hold § 87(2)(b) down, but § 87(2)(b) managed to push against them and stand up. The three officers tried to push § 87(2)(b) back down, but § 87(2)(b) resisted them by holding his arms in front of his body and continuing to stand upright. He was eventually pushed back to the ground after Police Officer Brennan placed an arm around his neck.

NYPD Patrol Guide procedure 221-01 states that officers may use physical force when it is reasonable to place a person in custody. Any application or use of force must be reasonable under the circumstances. Factors to consider when determining if the use of force is reasonable include whether the subject is actively resisting custody and the presence of a hostile crowd or agitators (Board Review #22).

§ 87(2)(g)

While it is unclear whether § 87(2)(b) was intentionally forced to the ground when he first exited the vehicle, the video shows that the officers deliberately forced him down after he stood up. The video also makes clear that § 87(2)(b) offered significant physical resistance to the officers by pushing himself up to his feet despite all three officers pushing down on his body. Furthermore, there was a large crowd of civilians standing within feet of the officers.

§ 87(2)(g)

Allegation (E) Force: Police Officer John Brennan used a chokehold against § 87(2)(b)

Allegation (F) Force: Police Officer John Brennan restricted § 87(2)(b)'s breathing

§ 87(2)(b) stated that after he was removed from his vehicle and pushed to the ground, he managed to push himself back up to his feet. Police Officer Brennan was standing behind him at the time. Police Officer Brennan then reached across § 87(2)(b)'s body and placed his right arm across § 87(2)(b)'s throat. The pressure from Police Officer Brennan's arm limited but did not completely obstruct § 87(2)(b)'s breathing. § 87(2)(b) estimated that Police Officer Brennan's arm was on his throat for three to five seconds. § 87(2)(b) responded to this action by lowering his chin to protect his throat and trying to walk away from Police Officer Brennan.

§ 87(2)(b), § 87(2)(b) and § 87(2)(b)'s statements were generally consistent with § 87(2)(b)', except as noted. § 87(2)(b) did not state how long Police Officer Brennan had his arm against § 87(2)(b)'s throat. § 87(2)(b) in his telephone statement, testified that Police Officer Brennan held § 87(2)(b) in a "headlock" for two or three minutes. In his sworn statement, however, he stated that Police Officer Brennan held his arm across § 87(2)(b)'s neck for five to ten seconds. § 87(2)(b) made no mention of § 87(2)(b)'s being taken to

the ground or standing back up before Police Officer Brennan placed him in a chokehold.

§ 87(2)(b) and § 87(2)(b) made no mention of an officer choking § 87(2)(b) or making contact with § 87(2)(b) neck. § 87(2)(b) and § 87(2)(b) denied being present at the time of § 87(2)(b) arrest. § 87(2)(b) provided conflicting testimony about whether he was present at the time of § 87(2)(b) arrest. He made no mention of an officer choking § 87(2)(b)

Police Officer Brennan stated that § 87(2)(b) resisted arrest once he was removed from the vehicle by dropping down to his knees and pulling his arms away from the officers around him. Police Officer Brennan denied that he used any physical force against § 87(2)(b) beyond pulling him out of the vehicle. He denied that he placed § 87(2)(b) in a chokehold. He denied making contact with § 87(2)(b) neck. He denied hearing § 87(2)(b) complain about having difficulty breathing.

Sergeant Behan denied seeing Police Officer Brennan place § 87(2)(b) in a chokehold or make contact with § 87(2)(b) neck. Lieutenant Rock, Police Officer Carter and Police Officer Alva denied being present at the time of this allegation. They were not aware of any officer using a chokehold during the incident.

Cell phone footage recorded by § 87(2)(b) is attached in IA #58 (Board Review #04). The video shows Police Officer Noel, Police Officer Brennan and Sergeant Behan removing § 87(2)(b) from his vehicle. The officers initially push § 87(2)(b) to the ground, but § 87(2)(b) stands back up. The three officers grab § 87(2)(b) arms and torso and start to wrestle with him. At 0:45 into the recording, one of the officers, identified by the CCRB as Police Officer Brennan, is seen standing behind § 87(2)(b). Police Officer Brennan reaches his right forearm over § 87(2)(b) right shoulder. He then places his right forearm across § 87(2)(b) neck. § 87(2)(b) turns away from the camera, blocking view of the front of his body. It is unclear how long Police Officer Brennan holds his arm across § 87(2)(b) neck. At 0:52 into the recording, his right arm is seen again. It is no longer on § 87(2)(b) neck at that point.

Cell phone footage recorded by § 87(2)(b) is attached in IA #92 (Board Review #08). It shows the same struggle, but the camera was not pointed towards § 87(2)(b) at the point where Police Officer Brennan placed his arm on § 87(2)(b) neck.

Police Officer Brennan was shown the footage recorded by § 87(2)(b) during his CCRB interview. He identified himself as the officer seen reaching around § 87(2)(b) shoulder. He denied that he was choking § 87(2)(b) at that moment.

Police Officer Brennan prepared a TRI report to document the struggle with § 87(2)(b) (Board Review #23). It states that he used a forcible takedown against § 87(2)(b) in order to defend himself and his fellow officers, as well as to overcome § 87(2)(b) resistance. No other force is indicated on the report.

Based on the video footage, the investigation determined that Police Officer Brennan did place his right forearm across the front of § 87(2)(b) neck.

NYPD Patrol Guide procedure 221-01 states that officers may use physical force when it is reasonable to place a person in custody. Any application or use of force must be reasonable under the circumstances. Officers are forbidden from using chokeholds, which are defined as the

application of pressure to an individual's throat or windpipe which may prevent or hinder breathing or reduce intake of air (Board Review #22).

§ 87(2)(g)

Allegation (G) Abuse of Authority: Police Officer John Brennan threatened § 87(2)(b) with the use of force.

It has already been established that once the officers pulled § 87(2)(b) out of his vehicle, § 87(2)(b) dropped to his knees. Despite Police Officer Noel, Police Officer Brennan and Sergeant Behan pushing down on § 87(2)(b) body, he was able to stand up. § 87(2)(b) tried to prevent the officers from pushing him back down by holding his arms in front of his body and holding himself up as they pushed on him. Police Officer Noel and Sergeant Behan eventually pushed § 87(2)(b) back down to the ground.

It is undisputed that after Police Officer Brennan brought § 87(2)(b) to the ground, he drew his Taser and pointed it at § 87(2)(b). He did not discharge the Taser.

§ 87(2)(b) denied that he made any movements or offered the officers any physical resistance after Police Officer Brennan released him from the chokehold. Once Police Officer Brennan released § 87(2)(b) neck, Police Officer Noel and Sergeant Behan then pushed § 87(2)(b) down to his knees and hinged his body forward at the waist, bringing his face in contact with the ground. Police Officer Brennan then pointed his Taser at § 87(2)(b) face. § 87(2)(b) noticed the Taser's red targeting laser on his shoulder. Police Officer Noel and Sergeant Behan placed § 87(2)(b) in handcuffs while Police Officer Brennan pointed the Taser. § 87(2)(b) estimated that Police Officer Brennan pointed the Taser for about forty seconds before putting it away. He made no mention of any officers, including Sergeant Behan, verbally threatening to use a Taser on him.

§ 87(2)(b), § 87(2)(b), § 87(2)(b), § 87(2)(b) and § 87(2)(b)'s statements were generally consistent with § 87(2)(b)'s statement. § 87(2)(b) and § 87(2)(b) denied being present at the time of § 87(2)(b)'s arrest. § 87(2)(b) provided conflicting testimony about whether he was present at the time of § 87(2)(b)'s arrest. He made no mention of an officer pointing a Taser at § 87(2)(b).

Police Officer Brennan stated that § 87(2)(b) continued resisting arrest after he was taken to the ground by pulling his arms away from the officers. Police Officer Brennan responded by drawing his Taser and verbally threatening to use it if § 87(2)(b) did not cease his resistance. He did not recall how he phrased the threat. Police Officer Brennan held the Taser near § 87(2)(b)'s head and activated the Taser's red targeting laser, but he did not recall if he pointed the Taser or its target laser at § 87(2)(b). § 87(2)(b) complied with Police Officer Brennan's order and ceased resistance. Police Officer Brennan then put away his Taser.

Sergeant Behan did not recall any officers, including Police Officer Brennan, pointing a Taser at § 87(2)(b). Lieutenant Rock, Police Officer Carter and Police Officer Alva denied being present at the time of this allegation. They were not aware of any officer drawing or threatening to use a Taser during the incident.

§ 87(2)(b) video is attached in IA #58 (Board Review #04). At 0:52 into the recording, the three

officers are seen struggling to push § 87(2)(b) to the ground. Police Officer Brennan draws his Taser. Police Officer Noel and Sergeant Behan then push § 87(2)(b) to the ground. Police Officer Brennan points the Taser in a downward direction, but the angle of the video does not show if the Taser is pointed towards § 87(2)(b) body. The video does not show if Police Officer Brennan used his Taser's targeting laser. § 87(2)(b) video, attached in IA #92 (Board Review #05), ends before the point where Police Officer Brennan draws his Taser. No officer is heard threatening to use a Taser against § 87(2)(b) in either video.

Because the video footage does not clearly show where Police Officer Brennan pointed his Taser once he drew it, the investigation was unable to determine if the Taser was pointed at § 87(2)(b) face or head. The video did not conclusively show whether any of the officers verbally threatened to use the Taser.

NYPD Patrol Guide procedure 221-08 states that conducted energy weapons such as Tasers may be used to subdue aggressive suspects. Tasers should only be used against individuals who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other individuals present. It defines active resistance as physically evasive movements intended to defeat an officer's attempt at controlling them or verbally signaling an intention to prevent officers from taking him into custody. It defines active aggression as any threat or overt act of assault, coupled with the ability to carry out that threat, which reasonably indicates that an assault or injury to any person is imminent. Officers are encouraged to warn individuals before using a Taser as a means of de-escalating potentially violent situations. Officers are directed to aim the Taser at an individual's back or stomach, and to avoid aiming a Taser at individuals' heads, necks or chests if possible (Board Review #24).

§ 87(2)(g) it is clear that Police Officer Brennan threatened to use his Taser against § 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) As discussed above, § 87(2)(b) engaged in a prolonged physical struggle with the officers, during which he was able to stand upright despite having three officers pressing down on him. The officers were also surrounded by a large crowd of bystanders in close physical proximity to them.

§ 87(2)(g)

§ 87(2)(b) The Patrol Guide, however, directs such usage to specific areas of the body. It specifically directs officers to avoid even aiming a Taser at an individual's face. § 87(2)(g)

§ 87(2)(g)

Allegation (H) Abuse of Authority: At Avenue M and East 48th Street in Brooklyn, Sergeant Peter Behan threatened § 87(2)(b) with the use of force.

Neither § 87(2)(b) nor any of the other civilians alleged that any officers besides Police Officer Brennan threatened to use a Taser against § 87(2)(b). None of the civilians alleged that any of the officers verbally warned § 87(2)(b) that he might be Tased.

Sergeant Behan stated that once the officers got § 87(2)(b) to the ground, § 87(2)(b) attempted to stand back up again. In order to prevent § 87(2)(b) from doing

so, Sergeant Behan verbally warned § 87(2)(b) that he would be Tased if he stood up. He did not recall how he phrased this threat. He was not aware of any other officers threatening § 87(2)(b) at that time. He did not recall any officers drawing or pointing their Tasers at § 87(2)(b).

Neither Police Officer Brennan nor any of the other officers recalled hearing Sergeant Behan threaten to use a Taser against § 87(2)(b).

§ 87(2)(b) struggle with the officers is depicted in § 87(2)(b) and § 87(2)(b) videos (Board Review #04-05). Neither Sergeant Behan nor any of the other officers are heard verbally threatening to use a Taser in either video.

While it is clear from the video footage that Police Officer Brennan threatened to use his Taser by pointing it at § 87(2)(b), it is unclear whether Sergeant Behan verbally threatened § 87(2)(b). None of the civilian or officer accounts corroborate this claim, and no such threat is heard in the videos.

NYPD Patrol Guide procedure 221-08 states that conducted energy weapons such as Tasers may be used to subdue aggressive suspects. Tasers should only be used against individuals who are actively resisting, exhibiting active aggression, or to prevent individuals from physically injuring themselves or other individuals present. Officers are encouraged to warn individuals before using a Taser as a means of de-escalating potentially violent situations. (Board Review #24).

While it was unclear if Sergeant Behan also threatened to use a Taser, § 87(2)(g) As discussed above, § 87(2)(b) engaged in a prolonged physical struggle with the officers, during which he was able to stand upright despite three officers pressing down on him. The officers were also surrounded by a large crowd of bystanders in close physical proximity to them. § 87(2)(g)

Allegation (I) Abuse of Authority: At § 87(2)(b) in Brooklyn, Lieutenant Darren Rock questioned § 87(2)(b)

It is undisputed that § 87(2)(b) arrest, Lieutenant Rock spoke to § 87(2)(b) near § 87(2)(b). Their conversation was interrupted when several officers started chasing § 87(2)(b). Lieutenant Rock broke away from § 87(2)(b) to join the pursuit.

§ 87(2)(b) stated that after § 87(2)(b) arrest, Police Officer Carter approached § 87(2)(b) and accused him of blocking the path of § 87(2)(b) vehicle when the police tried to remove it. Lieutenant Rock then walked up to § 87(2)(b) and ordered him to empty his pockets. Lieutenant Rock did not say anything else to § 87(2)(b). Immediately after Lieutenant Rock gave this order, however, Police Officer Carter and several other officers started chasing § 87(2)(b). Lieutenant Rock broke away from § 87(2)(b) and joined the chase. § 87(2)(b) did not have a chance to respond to Lieutenant Rock's order before Lieutenant Rock left.

None of the other civilians mentioned § 87(2)(b) speaking to Lieutenant Rock during any of their statements.

Lieutenant Rock stated that when he returned to the intersection in response to Police Officer

Carter's and Police Officer Alva's request for assistance. When he arrived, Police Officer Carter pointed to § 87(2)(b) and identified him as one of the people who had obstructed the path of § 87(2)(b) vehicle. Lieutenant Rock ordered officers to arrest § 87(2)(b) for obstructing governmental administration. Police Officer Carter then pointed towards § 87(2)(b) who was standing in front of § 87(2)(b). Lieutenant Rock assumed that Police Officer Carter was identifying § 87(2)(b) as another person who had obstructed the vehicle's path. § 87(2)(b) was holding his hands in his pants pockets at the time. Lieutenant Rock walked up to § 87(2)(b) and asked him to remove his hands from his pocket. He did so because he believed § 87(2)(b) to be a suspect at the time and wanted to make sure that § 87(2)(b) was not holding anything dangerous in his hands. He denied that he or any other officer told § 87(2)(b) to empty his pockets. Before § 87(2)(b) had a chance to respond, however, Lieutenant Rock noticed several officers chasing after § 87(2)(b). He deduced that they were chasing him because he, not § 87(2)(b), was the other person who had obstructed the vehicle's path. Lieutenant Rock left § 87(2)(b) to join the other officers.

Sergeant Behan and Police Officer Brennan both stated that Lieutenant Rock spoke to § 87(2)(b) and § 87(2)(b) outside of § 87(2)(b) after officers entered the house to arrest § 87(2)(b). Lieutenant Rock told the two civilians that they were not allowed to go inside. Neither Police Officer Carter nor Police Officer Alva recalled witnessing any interactions between § 87(2)(b) and Lieutenant Rock. None of the officers recalled hearing Lieutenant Rock asking § 87(2)(b) to empty his pockets.

None of the video footage from this incident recorded the conversation between § 87(2)(b) and Lieutenant Rock.

§ 87(2)(g)

[REDACTED]

[REDACTED]

[REDACTED]

Allegation (J) Abuse of Authority: Police Officer Ainsley Carter entered § 87(2)(b) in Brooklyn.

Allegation (K) Abuse of Authority: Sergeant Peter Behan entered § 87(2)(b) in Brooklyn.

Allegation (L) Abuse of Authority: Officers entered § 87(2)(b) in Brooklyn.

It is undisputed that after § 87(2)(b), § 87(2)(b) and § 87(2)(b) were arrested, officers forcibly entered § 87(2)(b) a house located down the street from the intersection. § 87(2)(b) was the only person inside at the time. The officers arrested § 87(2)(b) on the building's second floor and escorted him out.

§ 87(2)(b) stated that, after § 87(2)(b), § 87(2)(b) and § 87(2)(b) arrests, he stood in front of his home at § 87(2)(b). He did not state what, if anything, he was doing during this time, but stated that an unidentified officer accused § 87(2)(b) of "doing something." § 87(2)(b) made no mention of § 87(2)(b) arrest. A group of approximately ten officers, including Police Officer Carter, then ran towards § 87(2)(b). § 87(2)(b) ran into one of the doors to the house and closed it behind him. The officers, however, broke down the door. § 87(2)(b) did not specify which door he entered or how the officers broke the door down. Several officers, including Police Officer Carter, chased him upstairs to the house's second floor, where they took him into custody.

§ 87(2)(b) stated that Police Officer Carter approached § 87(2)(b) in front of § 87(2)(b).

§ 87(2)(b) Police Officer Carter accused § 87(2)(b) of blocking the path of § 87(2)(b) vehicle when the police tried to remove it from the location. § 87(2)(b) denied that § 87(2)(b) had done so. § 87(2)(b) turned his attention away from § 87(2)(b)'s interaction with Police Officer Carter to speak to Lieutenant Rock. His conversation was interrupted when he saw several officers run towards the side door of § 87(2)(b). He did not see § 87(2)(b) at that time. Police Officer Carter kicked down the door. He and several officers then entered the house. A few minutes later, they emerged with § 87(2)(b) in custody.

§ 87(2)(b) stated that he was unaware of any civilians, including § 87(2)(b) blocking the paths of any vehicles. He observed several unidentified officers approach § 87(2)(b) outside § 87(2)(b). He did not know why the officers approached § 87(2)(b). As the officers approached, § 87(2)(b) turned away from them and walked into the house through the side entrance. The officers then forced their way through the door. § 87(2)(b) did not recall how the officers forced the door down. Several of the officers entered the house and emerged several minutes later with § 87(2)(b) in custody.

§ 87(2)(b), § 87(2)(b) and § 87(2)(b) stated that § 87(2)(b) observed the incident from in front of § 87(2)(b). They denied that he interacted with the police in any way while in front of the building. They also stated that § 87(2)(b) walked into the house and closed the door behind him before any of the officers approached him. The officers later kicked down the door to gain entry.

§ 87(2)(b), § 87(2)(b) and § 87(2)(b) were not present at the time of the entry.

The officers' statements were generally consistent with each other, except as noted. After § 87(2)(b), § 87(2)(b) and § 87(2)(b) were arrested, Sergeant Behan directed Police Officer Carter and Police Officer Alva to drive § 87(2)(b) vehicle to the stationhouse. When Police Officer Alva got into the vehicle and tried to drive it away, however, § 87(2)(b) and § 87(2)(b) stood in front of the vehicle to block its path. Police Officer Alva and Police Officer Carter told the two civilians to move, but they refused to do so. None of the other officers were present during this interaction. Police Officer Alva and Police Officer Carter called for backup. Several of the officers who had been present earlier, including Police Officer Brennan, Sergeant Behan and Lieutenant Rock returned to the intersection. When Police Officer Alva and Police Officer Carter explained what § 87(2)(b) and § 87(2)(b) had done, Lieutenant Rock ordered that both civilians be arrested for obstructing governmental administration. § 87(2)(b) was arrested without issue.

Sergeant Behan stated that he and several other officers whom he did not recall approached § 87(2)(b) in front of § 87(2)(b) to arrest him. Before the officers said anything to him or touched him, § 87(2)(b) turned and ran to the house's side entrance. Sergeant Behan and the other officers immediately pursued § 87(2)(b). He estimated that the officers were about an arm's length away from § 87(2)(b) when he entered the house. § 87(2)(b) attempted to push the door closed, but the officers prevented him from doing so by pushing back on it. § 87(2)(b) then abandoned the door and ran inside. Sergeant Behan initially stayed outside while several other officers went inside. Sergeant Behan noticed that several officers had dropped equipment on the ground during the pursuit, such as flashlights and body-worn cameras. Sergeant Behan retrieved these items. A few minutes later, the officers who had gone inside came out with § 87(2)(b) in custody. The officers told Sergeant Behan that they had arrested him at the top of a staircase. Sergeant Behan then stepped into the house to make sure that none of the officers who went inside had left equipment there. The front door led into a kitchen, where there was a staircase leading up to the second floor. Sergeant Behan entered the kitchen and walked up the stairs to look around.

Seeing no further equipment inside, he exited the house.

Police Officer Carter, Police Officer Brennan and Lieutenant Rock stated that after § 87(2)(b) arrest, they noticed a group of officers chasing § 87(2)(b) in front of § 87(2)(b). They did not witness what, if any, interaction the officers had with § 87(2)(b) prior to the pursuit. Each stated that they followed § 87(2)(b) and his pursuing officers to the side of the house. They lost sight of § 87(2)(b) when he turned to run down the house's driveway. Police Officer Carter stated that when he rounded the corner, he saw § 87(2)(b) standing inside the house through the side door's window. Several officers then pushed the door open and went inside. Police Officer Carter joined them. § 87(2)(b) ran up a flight of stairs by the side entrance, leading to the second-floor hallway. Police Officer Carter followed § 87(2)(b) to the hallway and arrested him there. He denied going anywhere else in the house. Lieutenant Rock and Police Officer Brennan stated that officers had already entered the house when they reached the driveway. They denied going inside themselves.

Police Officer Alva stated that he was dealing with § 87(2)(b) at the time of the entry. He did not see officers approach § 87(2)(b) or enter § 87(2)(b). Police Officer Carter later told him that he and several other officers had chased § 87(2)(b) into the building and arrested him.

The balance of testimony indicates that a group of officers approached § 87(2)(b) outside of § 87(2)(b) and accused him of committing a crime. § 87(2)(b) then ran into his house. The police pursued him inside, where they effected his arrest.

A criminal suspect may not thwart an otherwise proper arrest which has been set in motion in a public place by retreating into his residence. An officer may enter a private residence without a search warrant when they are engaged in a "hot pursuit" with a suspect. People v. Caputo, 155 A.D.3d 648 (App. Term, 2nd Dept, 2017) (Board Review #25).

§ 87(2)(g)

§ 87(2)(b). The officers initiated the arrest outside the building and followed § 87(2)(b) when he fled into the house's side door. The pursuit was continuous, with officers only potentially losing sight of § 87(2)(b) for a few moments when he ran up his driveway.

§ 87(2)(g)

§ 87(2)(b)

Allegation (M) Offensive Language: At § 87(2)(b) in Brooklyn, Police Officer Ainsley Carter made remarks to § 87(2)(b) based upon his gender.

Allegation (N) Force: At § 87(2)(b) in Brooklyn, Police Officer Ainsley Carter used physical force against § 87(2)(b).

Allegation (O) Force: At § 87(2)(b) in Brooklyn, officers used physical force against § 87(2)(b).

Allegation (P) Abuse of Authority: At § 87(2)(b) in Brooklyn, Police Officer Ainsley Carter refused to provide his name to § 87(2)(b).

Allegation (Q) Abuse of Authority: At § 87(2)(b) in Brooklyn, Police Officer Ainsley Carter refused to provide his shield number to § 87(2)(b).

§ 87(2)(b) alleged that one of the officers who entered § 87(2)(b) called him a "bitch." Several of the officers then punched him repeatedly in the face. § 87(2)(b) asked one of the officers for his name and shield number. The officer replied, "What do you need that for?" He did not ultimately provide his information to § 87(2)(b).

The investigation was unable to obtain a sworn statement from § 87(2)(b) (Board Review #20). None of the other civilians were present inside § 87(2)(b) at the time that these allegations occurred. § 87(2)(g)

Allegation (R) Abuse of Authority: At the 63rd Precinct stationhouse, Sergeant Peter Behan searched the vehicle in which § 87(2)(b) was an occupant.

It is undisputed that Police Officer Noel initially approached § 87(2)(b) vehicle and spoke to him one-on-one. He was later joined by Sergeant Behan and Police Officer Brennan. Later, after § 87(2)(b) was arrested, Sergeant Behan ordered Police Officer Alva and Police Officer Carter to transport § 87(2)(b) vehicle to the stationhouse. Police Officer Alva drove the vehicle while Police Officer Carter followed in his marked vehicle. The officers eventually drove the vehicle away after § 87(2)(b) and § 87(2)(b)'s arrests. The vehicle was searched at the stationhouse.

§ 87(2)(b) denied that he had any marijuana in his vehicle or that he had used marijuana prior to the incident. He denied that there was any odor of marijuana in his vehicle. Because his vehicle was transported to the stationhouse prior to the search, neither § 87(2)(b) nor any of the other civilians witnessed it.

Both Sergeant Behan and Police Officer Brennan stated that before they removed § 87(2)(b) from his vehicle at the beginning of the incident, they detected an odor of marijuana emanating from inside the vehicle. They did not make any other observations suggesting that there was marijuana in the vehicle. Police Officer Carter and Police Officer Alva were not present at that point in the incident. They did not recall detecting any odor of marijuana during their own interactions with § 87(2)(b) vehicle. Lieutenant Rock was not aware of any such odor emanating from the vehicle. He did not approach or interact with § 87(2)(b) vehicle during the incident.

Sergeant Behan stated that he wanted to search § 87(2)(b) vehicle to investigate the odor of marijuana. He did not feel that it was feasible to search the vehicle at the intersection due to the large crowd of civilians standing by the vehicle. He therefore ordered Police Officer Carter and Police Officer Alva to drive the vehicle to the stationhouse so it could be searched there. Officers eventually searched the vehicle at the stationhouse. Sergeant Behan did not recall which officers conducted the search. These officers recovered marijuana from the vehicle. Sergeant Behan did not recall where the marijuana was found, how much marijuana was found, or how the marijuana was packaged.

None of the other officers were aware of any searches conducted on § 87(2)(b) vehicle at the stationhouse. They were not aware of marijuana being recovered from the vehicle.

Police Officer Noel prepared § 87(2)(b) arrest report. The narrative states that Police Officer Noel initially approached § 87(2)(b) because he and the other civilians at the intersection were blocking vehicle traffic. He then detected an odor of marijuana emanating from the vehicle. Marijuana was later recovered from the vehicle. § 87(2)(b) was charged with unlawful possession of marijuana (Board Review #01).

The property vouchers from § 87(2)(b) arrest indicate that his vehicle was vouchered for safekeeping after his arrest. A clear plastic bag containing a green vegetative substance, identified as alleged marijuana, was vouchered as arrest evidence. A wireless speaker, two cell phones and a set of keys and \$98 in cash were also vouchered for safekeeping (Board Review #23).

§ 87(2)(g)

Sergeant Behan, Police Officer Brennan and Police Officer Noel (via the narrative of the arrest report) all stated that there was an odor. The fact that marijuana was eventually located in the vehicle, as noted in the vouchers, supports their claims. Police Officer Alva, however, did not recall any such odor when he drove the vehicle to the stationhouse. § 87(2)(g)

Under the automobile exception, an officer may search a vehicle without a warrant if they have probable cause to believe that it contains evidence of a crime. The odor of marijuana emanating from a vehicle during a vehicle stop provides officers with probable cause to search the vehicle's occupants as well as the vehicle itself. People v. Chestnut, 36 N.Y.2d 971 (1975) (Board Review #26).

The automobile exception extends to parked vehicles as well as those stopped while in motion. The justification for such a warrantless search does not necessarily dissipate if the vehicle is taken to a stationhouse or otherwise brought under police custody. People v. Orlando, 56 N.Y.2d 441 (1982), People v. Myers, 303 A.D.2d 139 (App. Term, 2nd Dept., 2003) (Board Review #27-28).

NYPD Patrol Guide procedure 218-13 states that officers must "thoroughly" search the interior of any vehicle that comes into police custody. Any items found during such a search must be recorded in a property voucher (Board Review).

§ 87(2)(g)

Sergeant Behan stated that he ordered the search to investigate the odor of marijuana inside the vehicle. If he did detect such an odor, he would have had the authority to search the vehicle's interior. Since Sergeant Behan opted to conduct the search at the stationhouse due to the large crowd of bystanders, NYPD procedure dictated that the vehicle be subjected to an inventory search. While it is unclear who ultimately conducted the search, the property vouchers demonstrate that proper procedure was followed.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) § 87(2)(b) § 87(2)(b) has been party to (Board Review #29).
- § 87(2)(b)

- § 87(2)(b)
[REDACTED]
 - Police Officer Brennan has been a member of the service for four years and has been listed as a subject in one other CCRB complaint and two allegations, neither of which has been substantiated. § 87(2)(g)
[REDACTED]
 - Sergeant Behan has been a member of the service for eleven years and has been listed as a subject in eight previous CCRB complaints and eight allegations, none of which were substantiated. § 87(2)(g)
[REDACTED]
 - Lieutenant Rock has been a member of the service for nineteen years and has been listed as a subject in two previous CCRB complaints and three allegations, none of which were substantiated. § 87(2)(g)
[REDACTED]
 - Police Officer Carter has been a member of the service for four years and has been listed as a subject in one previous CCRB complaint and two allegations, neither of which was substantiated. § 87(2)(g)
[REDACTED]

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
 - A Notice of Claim request was submitted to the NYC Office of the Comptroller on March 11, 2020. The results will be included in the case file upon receipt.

§ 87(2)(b)

● § 87(2)(b)

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 15

Investigator: Owen Godshall Inv. Owen Godshall 06/04/2020
Signature Print Title & Name Date

Squad Leader: Simon Wang IM Simon Wang 06/04/2020
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name _____ Date